



# **St. Thomas Fishermen's Association**

## **Protecting our Natural Heritage and Culture**

**Julian Magras, Chairman of the Board  
St. Thomas Fishermen's Association**

### **Written Testimony on Community Response to Catch Shares in the Caribbean Region"**

For the  
**COMMITTEE ON NATURAL RESOURCES  
SUBCOMMITTEE ON INSULAR AFFAIRS, OCEANS, AND WILDLIFE  
U.S. HOUSE OF REPRESENTATIVES**

**17 April, 2010**

Madame Chairwoman, Members of the Subcommittee, I greatly appreciate the opportunity to testify before you today the response of the St. Thomas fishing community to the National Marine Fisheries Service (NMFS) and the Caribbean Fishery Management Council. (CFMC) to pressures to implement catch shares.

The manner in which these actions are being taken show a significant disregard for the Virgin Islands culture and community, disregard for facts on the ground, and (we believe) are simply attempting to build justification for further draconian catch reductions by agencies who have already used their own failures over past decades as justification for punishing Virgin Islands fishermen.

#### **St. Thomas Fishermen's Association**

The St. Thomas Fishermen's Association is an entirely volunteer not-for-profit corporation organized in 2005 under Virgin Islands law. It was established for the purpose of involving Virgin Islands fishermen in the management process and creating greater understanding by fishermen on the matter of fishery management and by fishery managers of Virgin Islands fisheries. In addition, the STFA has carried out a number of federally funded studies addressing bycatch and trap fishing as a means to involve our member fishermen in all aspects of the management process, including data acquisition, development of management recommendations from study data and involvement of those recommendations in the management process.

We raise funds to support member attendance at fishery management meetings by holding raffles, dances and our annual "Fishermen's Fun Day" event. The STFA is not an opposition organization but one seeking intelligent and sustainable management of Virgin Islands fishery resources.

The STFA has broad community support. A petition circulated prior to the 2005 SFA Public Hearing was signed by over 6000 Virgin Islands citizens. Our Delegate to Congress Donna M. Christiansen, Governor John P. deJongh Jr. and local Senators regularly act in support of the issues facing the Association and our efforts have been

covered by both local and national media. Actions taken by the STFA and by our supporters can be found at <http://www.stfavi.org/CurrentIssues.html> .

Until about a year ago, our relationship with the CFMC and NMFS had been one of collaboration and cooperation. However as the 2010 Magnusan deadline for ACL establishment began to approach, NMFS and the Council became less interested in a collaborative relationship and began a unilateral effort to impose their uninformed view of Virgin Islands fisheries. For our part, we began an active effort to resist such an approach and return to the climate of productive cooperation which existed in the past.

### **Catch Shares: Initial Response**

Our first response when the idea of catch shares was put forward was positive. We felt that the cohesive group of fishermen in the STFA had already demonstrated a willingness to take responsibility for management of their resource. For example, in the past five years we have:

1. Formed the STFA and attended every CFMC meeting, many technical meetings and participated actively in the management process.
2. We carried out pioneering studies of bycatch from our fisheries and created information for the first time regarding bycatch rates, bycatch species and mortality rates.
3. We carried out a pilot study for development of escape vents from fish traps.
4. In association with NOAA's Biogeography Program we are carrying out a study of trap loss, ghost fishing and possible retrieval of lost traps.
5. We have just been awarded funding the NMFS' Cooperative Research Program to finalize escape vent design.
6. STFA members, on their own initiative have begun an effort to reduce the number of traps being used in the fishery.

In other words, the STFA has become a force for sustainable management which could effectively take responsibility for management of its resource base. In addition, STFA members dominate local fisheries so actions taken by the Association could effectively control effort within those fisheries.

### **Catch Shares: Concerns**

At the April Council meeting we stated that "the STFA views management of our resources as a "partnership" where we participate with the Council in setting standards for performance within our fisheries and are then responsible for meeting those standards."

At the same meeting we saw clearly, that we are the only ones who view the management process as a partnership as the NMFS Regional Office introduced sweeping conceptual changes in the ACL process and the CFMC simply rubber stamped the new proposals

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without any attempt to justify or understand the need for such changes. Our own requirements for in-season landings data were simply ignored. Our “partnership” then is one where the Regional Office makes the decisions, waits up to 3 years for data analysis and then punishes fishermen with accountability measures.

**For us, this is the problem with catch shares-it represents a partnership with someone we know to be untrustworthy.** We will provide more discussion on this matter.

Madame Chairwoman, a second problem arises from the fact that catch shares have invariably led to consolidation within the fishery.

Virgin Islanders have been fishing here for nearly 4 centuries. Local seafood was the only source of protein for much of that time and generations of Virgin Islanders have built a culture and cuisine around a highly diverse resource base.

The cultural relationship between the populace and the fishermen is strong as evidenced by petition response and continuous interaction. Consolidation within the fishery would inherently damage that relationship unless a totally local entity were managing the catch share program.

Currently there are both commercial and subsistence elements to the fishery. In addition, St. Thomas has ciguatera fish poisoning in some areas and consumers rely on fishermen (who market directly to their customers) to protect them from risk because of their knowledge and expertise. Consolidation could lead to the exit of these traditional fishermen and create a public health risk for the community. It could also lead to imports which could displace the local industry entirely.

In summary, if there is to be any chance for catch shares in the Virgin Islands there must be a considerable effort to strengthen the possibility for partnership. We ask that this committee create some impetus for this strengthening.

### **Who’s going to partner in a Catch Shares Program?**

The entire Council process has been corrupted and cannot, at present, suggest that it could be trusted as a partner in a catch share program.

1. We have already described how the Regional NMFS Office simply determines the agenda for the Council. Council members just vote as directed.
2. NMFS Southeast Fishery Science Center discarded nearly 40 years of Virgin Islands landings data despite the fact that it was they who were responsible for funding, managing and monitoring the program.
3. The Council itself discriminates against the Virgin Islands despite the fact that 89% of its jurisdiction is in Virgin Islands waters.
4. Last year for every hotel room filled in the Virgin Islands, five were filled in Puerto Rico.

5. There have only been two persons with ties to the Virgin Islands employed by the Council throughout the past 34 years.
6. Because Puerto Rico has a 9 mile Territorial Sea and the Virgin Islands only has a 3 mile limit, Council Regulations mainly affect Virgin Islands fishermen.
7. Recently the Council Chairman, slandered our Chief Scientist and lied about the Virgin Islands Conch Quota to the Scientific and Statistical Committee on the record.
8. Illegal payments have been made to “State” government employees and NMFS and the DOC IGs office are apparently attempting to cover this up.

We could continue on, with data mistakes by the Virgin Islands Division of Fish and Wildlife, the Southeast Fishery Science Center but the list is already longer that it should be.

We cannot enter into a catch shares arrangement with people like this. We view such a relationship where we would be provided with misleading information by people waiting for us to fail and who would eventually close the entire fishery, ending centuries of careful fishing by Virgin Islands fishermen.

### **Summary:**

All of these points have been raised with NMFS, CFMC and the SEFSC and subsequently ignored. In fact, NMFS seems to be determined to manage Virgin Islands fisheries by remote control with as little input from the Territory as possible.

In the past year alone, STFA members have spent around 7 man months attending various NMFS and CFMC meetings, mostly at our own expense. At no point, has any of our input been considered or affected any decision coming from the meetings. In large part, NMFS and SEFSC participants come to these meetings with their conclusions already determined.

The Virgin Islands is fortunate that our Delegate Donna M. Christiansen and Governor John P. deJongh Jr. have taken an active and advocative interest in our situation. The Delegate has attended many of the CFMC meetings and spent time with the fishermen on all of the Virgin Islands. Recently she applied for designation of the Virgin Islands as “Fishing Communities” under the Magnusan Act. Such designation would provide a requirement that the CFMC consider community and socio-economic impacts fully when implementing management measures. This would be a small step, but a significant one in requiring that our concerns be considered. We wish to note that the Regional Director broached such designation at the April Council meeting.

It is our hope in providing this testimony; that NMFS can begin to realize that government should serve the public and the resource users not simply impose its will through setting arbitrary standards for inconvenient data sets. The best management decisions will come from collaboration between fishery managers and stakeholders.

We do not support application of Catch Shares in the Virgin Islands until such time as systemic problems within the NMFS/CFMC/Territorial Government nexus are resolved and we could be involved in a relationship with a trustworthy partner in guaranteeing sustainable management of Virgin Islands Resources.

Thank you for this opportunity to address the Committee today.